UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/223,773	12/31/1998	GREGORY S. LINDHORST	3797.09761	3335

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EXAMINER
QUELER, ADAM M

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _03 October 2002_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-14_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-14_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☒ The proposed drawing correction filed on _03 October 2002_ is: a)☒ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _8_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications: IDS filed on 8/26/2002, Amendment B

filed on 10/3/2002, and formal drawings filed on 10/3/2002.

Drawings

2.   The proposed drawing correction and/or the proposed substitute sheets of drawings, filed

on 10/3/2002 have been approved. A proper drawing correction or corrected drawings are

required in reply to the Office action to avoid abandonment of the application. The correction to

the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

4.   **Claims 1-14** are rejected under 35 U.S.C. 112, first paragraph, as containing subject

matter which was not described in the specification in such a way as to enable one skilled in the

art to which it pertains, or with which it is most nearly connected, to make and/or use the

invention. The interpreter reinterpreting the serial execution code into a second event-driven

program is not disclosed in the specification. The dependent claims are rejected for fully

incorporating the deficiencies of the base claim. In addition, it is the position of the examiner

that placing a design-time control into a web page does not constitute converting event-driven

code to serial code.

5.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

6. **Claims 1-14** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. Due to deficiencies in the disclosure it is not apparent how this claimed subject

matter is possible.

Claim Rejections - 35 USC § 102

7. **Claims 1-4, 6-11, and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated**

by Ingham (D.B. Ingham, "W3Objects: A Distributed Object-Oriented Web Server",

Sixth International World-Wide Web Conference, Santa Clara, California, April 1997).

(Note: The publication date for this paper is provided in the Web page with address

http://w3objects.ncl.ac.uk/pubs.)

Regarding independent Claim 1 and independent Claim 8, Ingham teaches a distributed

object-oriented web server environment known as *W3Objects*. It is stated on page 1, first

paragraph that any implementation of *W3Objects,* "conform to an HTTP interface". Therefore,

this clearly includes an input for receiving input from Web designers. On page 2, last bullet, it is

stated that *W3Objects* persist across requests, and that session-based state can be held internally.

This immediately implies that *W3Objects* operate on an event-driven basis.

On page 3, first paragraph, Ingham teaches the language known as *W3Oscript*, which encodes

"the presentation logic of a service in an interpreted language". Furthermore, on page 2, first

bullet, it is stated, "The architecture supports arbitrary allocation of services to processes and

processes to machines, in a manner which is completely transparent to users". Hence, the

W3Objects is able to translate back-and forth between event-driven programs and serial

execution code.

Regarding dependent Claim 2 and dependent Claim 9, Ingham states on page 1, last

paragraph, that in the *W3Objects* environment, data passes between the client and the server.

This implies that a client is connected to the server. It is already been stated that the *W3Objects*

environment is capable of sending and receiving serial execution code. On page 2, first bullet, it

is stated, "The architecture supports arbitrary allocation of services to processes and processes to

machines, in a manner which is completely transparent to users". This means that from the

viewpoint of the server and client, the programs are operating as if they were on a single

machine.

Regarding dependent Claim 3 and dependent Claim 10, Ingham states on page 1, first

paragraph, that Web resources are represented as objects.

Regarding dependent Claim 4 and dependent Claim 11, Ingham teaches a server-side

scripting language called *W3OScript* on page 3, first paragraph. Resulting scripts can themselves

be objects, so they can be placed into event-driven programs. Since scripts can be stored as

objects, this implies the existence of a scripting library.

Regarding dependent Claims 6, 7, 13, and 14, the object-oriented environment of *W3Objects*

clearly processes event-driven programs. In this environment, it is irrelevant as to whether or not

first and second event-driven programs are the same or different.

Claim Rejections - 35 USC § 103

11.   **Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Ingham (D.B. Ingham, "W3Objects: A Distributed Object-Oriented Web Server", Sixth

International World-Wide Web Conference, Santa Clara, California, April 1997), in view

of *Business Wire* **("Next Microsoft 2: NeXT Software and Microsoft Corp. Q&A",**

Business Wire, **March 1996).** (Note: The publication date for the Ingham paper is provided in

the Web page with address *http://w3objects.ncl.ac.uk/pubs.*)

Regarding dependent Claim 5 and dependent Claim 12, Ingham does not explicitly mention

design-time controls for controlling the generation of objects. However, *Business Wire* teaches

properties of *WebObjects*. *WebObjects* was well-known to be an event-driven, object-oriented

Web environment. On page 1, it is stated that *WebObjects* can generate pages containing applets

such as *ActiveX Controls*. It was well-known that *ActiveX Controls* is a type of design-type

control. One of the major motivations for introducing objects into the Web was to make the use

of dynamic scripting appear to be seamless and user-friendly to the users. For this reason, it

would have been obvious to one of ordinary skill in the art at the time of the invention to

combine the teachings of Ingham and *Business Wire*.

Response to Arguments

8.   Applicant's arguments filed on 10/3/2002 have been fully considered but they are not

persuasive. Due to the claims not being fully disclosed the examiner is not able to determine that

the arguments overcome the previous rejections. For example on page 4 (bottom) through page

5 (middle), applicant argues why Ingham fails to disclose a conversion between serial execution

code and event-driven programs. Due the claims being indefinite and not enabling,

interpretation of the claim language is difficult and the Examiner is unable to determine that the

applicant's arguments overcome the previous rejections.
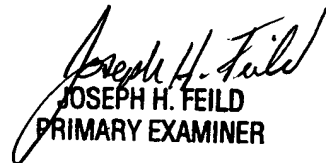
Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. USPN 6353896 to Holzmann et al.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Adam M Queler whose telephone number is (703) 308-5213.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 746-7239 for regular

communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 306-5631.

AQ
December 12, 2002

JOSEPH H. FEILD
PRIMARY EXAMINER